

REMARKS

Applicant thanks the Examiner for the careful consideration given the application.

Applicant notes as an initial matter that the Office action mailed April 30, 2004 is indicated as a Final Rejection. However, this Office action was in response to applicant's RCE which was filed on January 15, 2004, which substantially amended the claims. Since the April 30, 2004 Office action was the first Office action directed to the RCE, it should have been non-final, not final. Accordingly, applicant respectfully requests that the Examiner withdraw the finality of the April 30, 2004 Office action.

Turning now to the merits, the claims are now being amended to more clearly define the present invention. On April 6, 2004, Applicants' counsel conducted a telephone interview with Examiner Dicus along with SPE Cynthia Kelly. During the interview the amended claims which are now presented were discussed, along with the Declaration which is now attached hereto (both of which were in draft form during the interview). During the interview Examiners Kelly and Dicus agreed that the claims as now presented defined over the art of record. However, the Examiners stated that further searching would be required. (Applicant notes with appreciation the recent Interview Summary which states "The Office agrees that the proposed claims would define over the prior art and will await the amended claims.") As mentioned above, attached hereto in executed form is the Declaration which was presented in draft form at the telephone interview. The Declaration is self-explanatory, and clearly demonstrates that the results of the present invention are both surprising and unexpected. Specifically, it was shown that, surprisingly and unexpectedly, the addition of a small amount of aluminum powder to a large amount of a conventional white pigment dramatically increased the hiding power of an opaque layer according to the present invention. It was shown that, surprisingly and unexpectedly, the addition of a small amount of aluminum powder turned an opaque layer from

one that could not hide an underlying image into one that could successfully and effectively hide an underlying image.

In view of the foregoing, including the Examiners statements that the claims as now presented define over the art of record, it is believed that the claims as now presented are in condition for allowance, which is respectfully requested.

Applicant is also enclosing extra copies of the Form 1449s previously filed on February 22, 2002 and December 12, 2003 and requests that they be initialled and returned with the next communication.

If there are any fees resulting from this communication, please charge the said fees to our Deposit Account No. 16-0820, Order No. 34434.

Respectfully submitted,

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Date: June 2, 2004

Form PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 34434		SERIAL NO.	
INFORMATION DISCLOSURE CITATION BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)				APPLICANT: Patrick Johannes Blom, et al.			
				FILING DATE:		GROUP ART UNIT:	
PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	Filing Date If Appropriate
	A						
	B						
	C						
	D						
FOREIGN REFERENCES							
		Document No.	Date	Country	Class	Subclass	Translation
	E						
	F						
	G						
OTHER REFERENCES (including prior art documents)							
	H	PATENT ABSTRACTS OF JAPAN vol. 011, no. 001 (M-550), 6 January 1987 (1987-01-06) & JP 61 179779 A (Tsuneto Watanabe), 12 August 1986 (1986-08-12) abstract.					
	I	PATENT ABSTRACTS OF JAPAN vol. 018, no. 119 (M-1567), 25 February 1994 (1994-02-25) & JP 05 309996 A (Nippon Paint Co Ltd), 22 November 1993 (1993-11-22) abstract.					
	J	PATENT ABSTRACTS OF JAPAN vol. 1999, no. 09, 30 July 1999 (1999-07-30) & JP 11 115391 A (Showa Ink Kogyosho:KK;Kametani Sangyo KK), 27 April 1999 (1999-04-27) abstract					
	K	PATENT ABSTRACTS OF JAPAN vol. 014, no. 375 (M-1010), 14 August 1990 (1990-08-14) & JP 02 137986 A (Honda Motor Co Ltd), 28 May 1990 (1990-05-28) abstract.					
	L	PATENT ABSTRACTS OF JAPAN vol. 012, no. 195 (M-705), 7 June 1988 (1988-06-07) & JP 63 0015895 A (Reiko Co Ltd), 6 January 1988 (1988-01-06) abstract.					
	M	DATABASE WPI Section Ch, Week 199424 Derwent Publications Ltd., London, GB; Class A97, AN 1994-196794 XP002131911 & JP 06 135198 A (Nippon Shashin Insatsu KK), 17 May 1994 (1994-05-17) abstract.					
Examiner:				Date Considered			
*Examiner: Initial if reference considered, regardless of whether citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Form PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 34434		SERIAL NO. 10/069,263	
INFORMATION DISCLOSURE CITATION BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)				APPLICANT: Patrick Johannes Blom, et al.			
				FILING DATE: June 19, 2002		GROUP ART UNIT:	
SIGNATURE OF APPLICANT							
Examiner Initial		Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	A	6,509,075	1/2003	McCurry et al.			
	B						
	C						
	D						
SIGNATURE OF DOCKETING							
		Document No.	Date	Country	Class	Subclass	Translation
	E	11-115391	4/1999	JP			yes (pgs. 1-5)
	F						
	G						
OTHER REFERENCES							
	H						
	I						
	J						
	K						
	L						
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Examiner:					Date Considered		
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